

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE:	:	
	:	CASE NO. 07-65842
SOUTH STAR FUNDING, LLC	:	
	:	CHAPTER 7
Debtor	:	
	:	JUDGE: PAUL W. BONAPFEL
	:	
<hr/>		
WELLS FARGO BANK, N.A.,	:	
	:	
Movant	:	
	:	
v.	:	CONTESTED MATTER
	:	
SOUTH STAR FUNDING, LLC	:	
HARRY W. PETTIGREW, Trustee	:	
	:	
Respondents	:	
	:	
<hr/>		

NOTICE OF HEARING

PLEASE TAKE NOTICE that Wells Fargo Bank, N.A. has filed a Motion for Relief from the Automatic Stay and related papers with the Court seeking an Order Granting Motion for Relief from Stay.

PLEASE TAKE FURTHER NOTICE that the Court will hold a hearing on the Motion for Relief from the Automatic Stay in Courtroom 1401, 75 Spring Street, Atlanta, Georgia 30303 at 10:00 A.M. on March 12, 2008.

Your rights may be affected by the court's ruling on these pleadings. You should read these pleadings carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the court to grant the relief sought in these pleadings or if you want the court to consider your views, then you and/or your attorney must attend the hearing. You may also file a written response to the pleading with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how and on whom (including addresses) you served the response. Mail or deliver your response so that it is received by the Clerk at least two business days before the hearing. The address of the Clerk's Office is: Clerk, United States Bankruptcy Court, 75 Spring Street, Suite 1340, Atlanta, Georgia 30303. You must also mail a copy of your response to the undersigned at the address stated below.

If a hearing on the motion for relief from the automatic stay cannot be held within thirty (30) days, Movant waives the requirement for holding a preliminary hearing within thirty days of filing the motion and agrees to a hearing on the earliest possible date. Movant consents to the automatic stay remaining in effect until the Court orders otherwise.

Dated:

**FEB 18 2008**



Richard H. Siegel, Bar No. 645825  
Counsel for Movant  
McCalla Raymer, LLC  
1544 Old Alabama Road  
Roswell, Georgia 30076  
(770) 643-2148

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE:	) BANKRUPTCY CASE
	)
SOUTH STAR FUNDING, LLC	) NO. 07-65842
	)
Debtor	)
	)
-----	
WELLS FARGO BANK, N.A.	) JUDGE: PAUL W. BONAPFEL
	)
Movant	)
	)
vs.	)
	)
SOUTH STAR FUNDING, LLC	) CHAPTER 7
HARRY W. PETTIGREW, Trustee	)
	)
Respondents	)

MOTION FOR RELIEF FROM THE AUTOMATIC STAY

COMES NOW Movant and shows this Court the following:

1.

This is a Motion under Section 362(d) of the Bankruptcy Code for relief from the automatic stay for all purposes allowed by law and by the applicable contracts, including, but not limited to, the right to foreclose on certain pieces of real property.

2.

Movant is the holder or servicer of loans secured by the properties listed on the attached Schedule. Each property is

security for a Promisory Note. The names of the respective Borrowers, as known to Movant, are listed beside each property address.

3.

Movant believes that Debtor holds or services a loan on each of the properties listed, and that Debtor's lien on each property is inferior to Movant's lien.

4.

Each of the loans held or serviced by Movant is delinquent, and Movant seeks to initiate, continue and/or conclude foreclosure actions on each of the properties listed, in accordance with State law and its contracts. Movant seeks relief from the automatic stay because it believes Debtor has an interest in each of the properties, and foreclosure of any property would extinguish Debtor's lien thereon.

5.

Movant shows that most of these properties have little or no equity which will benefit the Estate. Movant is therefore not adequately protected.

WHEREFORE, Movant prays for an Order lifting the automatic stay, authorizing Movant to exercise its rights under its Notes,

Freitag, Erik T. and Sharon J.  
2108 East 7th Street  
Superior, WI 54880

Freitag, Erik T. and Sharon J.  
1516 Broadway Street, Apt #3  
Superior, WI 54880

Hopson, Leslie H. and Diane  
155 Major Circle  
Saltillo, MS 38866

Isacson, Teri A.  
9020 Gladiolus Preserve  
Fort Myers, FL 33908

Lagan, Larry and Christina  
88 Tracy Avenue  
Eagle Point, OR 97524

Lagan, Larry and Christina  
P.O. Box 1292  
Eagle Point, OR 97524

Meehan, Philip J. and Alecia A.  
129 Scottfield Drive  
Newark, DE 19713

Moniri, Ahmad  
80 Skyland Drive  
Roswell, GA 30075

Phillip, Kenyatta and Theodora C. James  
9526 Schenck Street, Unit 3  
Brooklyn, NY 11236

Simmons, Abby M. and Robert W. King  
6410 Red Bank Road  
Gillett, WI 54124

Simmons, Abby M. and Robert W. King  
940 Sunlite Drive  
Oneida, WI 54155

Smith, Leon D. and Deeann Temple  
618 Highland Park Drive  
Laurel, MS 39440

Stovall, Stephen S.  
9729 Patrician Drive  
New Port Richey, FL 34655

Stovall, Stephen S.  
3108 Congress Avenue  
Plano, TX 75025

Swick, Brian  
3007 3rd Street, S.W.  
Lehigh Acres, FL 33976

Whitlock, Dennis K.  
347 N.E. 27th Street  
Cape Coral, FL 33909

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed on **FEB 18 2008** By:   
(date) RICHARD H. SIEGEL, BAR NO. 645825  
Attorney for Movant

BORROWER'S NAME	PROPERTY ADDRESS	ESTIMATED PAYOFF	ESTIMATED VALUE		
Blackley, Adam J.	1238 Western Lane, #10 A, Front Royal, VA 22630	\$ 210,779.14	\$ 215,000.00	wellsp-08-27248	708
Deitig, Erik T. and Sharon J.	2108 East 7th Street, Superior, WI 54880	\$ 91,606.10	\$ 95,000.00	wellsp-08-27247	708
Hopson, Leslie H. and Diane	155 Major Circle, Saitilo, MS 38866	\$ 199,383.21	\$ 245,000.00	wellsp-07-27154	708
Isacson, Teri A.	9020 Gladiolus Preserve, Fort Myers, FL 33908	\$ 344,740.77	\$ 250,000.00	asc-07-13798	708
Hagan, Larry and Christina	88 Tracy Avenue, Eagle Point, OR 97524	\$ 208,700.89	\$ 205,000.00	wellsp-07-27153	708
Maehnan, Philip J. and Alecia A.	129 Scofield Drive, Newark, DE 19713	\$ 205,147.36	\$ 233,500.00	wellsp-07-26333	708
Moniri, Ahmad	80 Skyland Drive, Roswell, GA 30075	\$ 340,707.95	\$ 359,000.00	wellsp-07-27155	708
Phillip, Keryatta and Theodora C. James	9526 Schenck Street Unit 3, Brooklyn, NY 11236	\$ 333,087.94	\$ 349,000.00	asc-07-13796	708
Simmons, Abby M. and Robert W. King	6410 Red Bank Road, Gillett, WI 54124	\$ 135,666.53	\$ 137,000.00	wellsp-08-27249	708
Smith, Leon D. and Deeanne Temple	618 Highland Park Drive, Laurel, MS 39440	\$ 82,894.29	\$ 79,900.00	wellsp-08-27542	708
Sovall, Stephen S.	9729 Patricia Drive, New Port Richey, FL 34655	\$ 229,180.03	\$ 219,000.00	asc-07-13799	708
Swick, Brian	3007 3rd Street SW, Lehigh Acres, FL 33976	\$ 237,328.79	\$ 137,000.00	asc-07-13800	708
Whitlock, Dennis K.	347 NE 27th Street, Cape Coral, FL 33909	\$ 208,675.56	\$ 170,000.00	asc-07-13797	708